IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3972 OF 2005
IN
CRIMINAL APPEAL NO.592 OF 2005

Prakash Parshuram Nadar ..Applicant

Vs.

State of Maharashtra ..Respondent

...
Mr.G.L.Thonge Advocate for Applicant
Ms.S.V.Gajare A.P.P. for the State
...

CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : AUGUST 30,2005

P.C.

1. Heard the learned advocate for the applicant and learned A.P.P. for State.

2. The applicant is seeking bail. The maximum sentence imposed on the applicant-appellant is four years R.I.

3. The learned advocate for the applicant has pointed out that the applicant was on bail pending trial and he has not misused the liberty granted to him. This statement is not controverted by the prosecution. The learned advocate for the

applicant has further submitted that sentence imposed on the applicant is only four years and the appeal preferred by the applicant is not likely to be heard and disposed of within the period of four years.

4. The Supreme Court in the case of **Bhagwan Rama Gosai and Ors. Vs. State of Gujrat** reported in **(1999) 4 SCC 421,** has observed that if the sentence is of limited duration and the appeal cannot be heard expeditiously, then bail should be granted. It is not possible to hear the present appeal expeditiously. In view of all the facts and circumstances, I am inclined to grant bail.

5. The applicant-Prakash Parshuram Nadar to be released on bail in the sum of Rs.25,000/- with one or two sureties to make up that amount. The applicant shall report at Chembur Police Station Mumbai once in a fortnight during the pendency of appeal.

6. Application is disposed of.

[V.K.TAHILRAMANI,J.]